IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5827 OF 2003

Shri Bhalchandra V.Deo .. Petitioner

Vs.

Rupee Co-op.Bank Ltd. & Ors. ..Respondents

Mr.P.S.Dani for the petitioner

Mr.K.V.Tambe for the respondents

**CORAM : S.U.KAMDAR, J**
**DATED : 9TH DECEMBER, 2005**

P.C.:

1. By the impugned order dt.30.6.03 passed in application no.8669 to 8672 of 2002 by the Asst.Registrar Co-op.Societies, Pune, the application for oral evidence and Cross objection has been rejected. The learned counsel for respondent no.1 has drawn my attention to Rule 77 on which reliance has been placed and pointed out that the said rule only applies to dispute pending in Co-operative court in under section 91 of the Maharashtra Co-operative Societies Act, 1960 and not to the application under section 101 of the Maharashtra Co-operative Societies Act before the

Registrar. In my opinion, the remedy before the Registrar for recovery certificate is summary in nature and therefore the question of granting any relief for oral evidence and cross objections does not arise.

2. In so far as the grievance of the petitioner is concerned that copies of the documents are not furnished, the learned counsel for the respondent no.1 states that they will furnish the xerox copies of the documents as per their request within a period of two weeks from today. Petition is accordingly dismissed with the aforesaid clarification. No order as to costs.